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Summary record of the 32nd meeting
Held at Headquarters, New York, on Thursday, 24 March 2016, at 3 p.m.

Chair: Mr. Bhattarai ..... (Nepal)
Chair of the Advisory Committee on Administrative and Budgetary Questions: Mr. Ruiz Massieu

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The meeting was called to order at 4.20 p.m.

Agenda item 114: Appointments to fill vacancies in subsidiary organs and other appointments (*continued*)

(a) Appointment of members of the Advisory Committee on Administrative and Budgetary Questions (*continued*) (A/70/101/Add.1)

1. **The Chair** drew attention to document A/70/101/Add.1, which indicated that Mr. Moon (United Kingdom) had resigned from the Advisory Committee on Administrative and Budgetary Questions with effect from 16 May 2016 and that the Government of the United Kingdom of Great Britain and Northern Ireland had nominated Ms. Carmel Power, whose candidature had been endorsed by the Group of Western European and Other States, to complete the unexpired portion of Mr. Moon's term of office. He said he took it that the Committee wished to recommend the appointment of Ms. Power to the Advisory Committee for a term of office beginning on 16 May 2016 and ending on 31 December 2016.

2. *It was so decided.*

3. *Ms. Power was recommended for appointment to the Advisory Committee on Administrative and Budgetary Questions for a term of office beginning on 16 May 2016 and ending on 31 December 2016.*

Agenda item 139: Human Resources Management (*continued*)

Amendments to the Staff Regulations and Rules (*continued*) (A/C.5/70/L.28)

Draft resolution A/C.5/70/L.28: Amendments to the Staff Regulations and Rules

4. *Draft resolution A/C.5/70/L.28 was adopted.*

Agenda item 140: Joint Inspection Unit (*continued*) (A/C.5/70/L.29)

Draft resolution A/C.5/70/L.29: Joint Inspection Unit

5. *Draft resolution A/C.5/70/L.29 was adopted.*

Agenda item 134: Programme budget for the biennium 2016-2017 (*continued*)

Special subjects relating to the programme budget for the biennium 2016-2017 (A/C.5/70/L.31)

Draft resolution A/C.5/70/L.31: Special subjects relating to the programme budget for the biennium 2016-2017

6. *Draft resolution A/C.5/70/L.31 was adopted.*

7. **Mr. Awad** (Syrian Arab Republic) said that his Government reaffirmed its principled and long-standing commitment to providing humanitarian assistance to all needy and affected persons, without discrimination, in accordance with its constitutional duties, and was pursuing its cooperation with the United Nations in order to ensure that the delivery of such assistance adhered to the guiding principles for humanitarian emergency assistance set out in General Assembly resolution 46/182, particularly national sovereignty, the role of the State in supervising the delivery of assistance within its territory, neutrality, impartiality and non-politicization.

8. It was important to deliver humanitarian assistance from inside Syrian territory. Thanks to the efforts and cooperation of the Government and thousands of Syrian Arab Red Crescent volunteers, nearly 4 million people per month received assistance delivered in that manner. By contrast, the very small number of individuals benefiting from cross-border assistance confirmed the ineffectiveness of the measures taken by the United Nations to implement Security Council resolutions 2165 (2014), 2191 (2014) and 2258 (2015). Crossing points for assistance were exploited by States whose identity was known to all, in order to convey arms and aid to the armed terrorist groups. The Government had informed the United Nations Resident Coordinator of the new administrative procedure for dispatching joint humanitarian convoys to unstable areas. The procedure had been shortened from nine steps to only two.

9. Despite having joined the consensus on the draft resolution, his delegation wished to place on record its reservations regarding the financial resources allocated to the United Nations Monitoring Mechanism, as set out in section IV, and as detailed in the report of the Secretary-General on the United Nations Monitoring Mechanism (A/70/726), believing that those substantial sums could be put to better use to increase the

proportion of humanitarian assistance provided by international agencies operating within the country in cooperation with the Syrian Government. That approach was demonstrably effective and prevented humanitarian assistance from falling into the wrong hands, namely, those of Islamic State in Iraq and the Levant, the Nusrah Front and related groups.

10. His delegation also wished to place on record its objection to a number of aspects of the report of the Secretary-General on the United Nations Monitoring Mechanism (A/70/726), beginning with the stated objectives and expected accomplishments of the Mechanism. He recalled that the mandate of the Mechanism did not include the delivery of assistance inside Syrian territory, and emphasized that the United Nations was unable to determine what happened to the assistance delivered across the border. The Mechanism must not extend to humanitarian operations carried out inside Syrian territory, which were covered by the ongoing cooperation and coordination between the Government and the United Nations Resident Coordinator. Accordingly, the references in paragraph 17 of the report to ensuring that humanitarian assistance reached people in need throughout the Syrian Arab Republic by the most direct route; to increasing the number of humanitarian trucks crossing the border, and to increasing the amount of humanitarian aid reaching people in need throughout the Syrian Arab Republic, were inappropriate. In addition, the statistics on humanitarian needs, in paragraph 1, and the statistics on cross-border operations, in paragraphs 9 and 10, lacked precision, or were only estimates taken from the 2016 humanitarian response plan for the country.

11. His delegation also challenged the reference, in paragraph 2, to obstacles to delivery of assistance in hard-to-reach areas, as that reference had no place in the report, given that mandate of the Monitoring Mechanism did not include delivering assistance to unstable areas in Syrian territory. In paragraph 5, the reference to close links between the Monitoring Mechanism and the Syrian Arab Republic was inaccurate, as the Monitoring Mechanism did not cooperate effectively with the Government. Lastly, his delegation objected to the use by the United Nations of the phrase "local authorities", notably in paragraphs 5 and 17, to describe the unauthorized groups with which it worked in unstable areas.

12. **Mr. Yazdani** (Islamic Republic of Iran) said that he wished to comment on section V of the draft resolution, specifically the references in its section II to support for the implementation of Security Council resolution 2231 (2015) concerning his country's nuclear programme. While his delegation had shown flexibility in joining the consensus on the draft resolution as a whole, that action should not be interpreted as signifying agreement with the United Nations Secretariat's description of its functions in connection with the practical arrangements and procedures for the implementation of the resolution.

13. In the view of his delegation, neither the resolution itself, nor the associated note by the President of the Security Council (S/2016/44), had provided a mandate to establish any new structures, and none should therefore be created. His delegation was concerned that, while the implementation functions assigned to the United Nations Secretariat were purely administrative, and were intended to support the work of the Security Council, the description of the scope of work of the Security Council Affairs Division of the Secretariat's Department of Political Affairs in connection with implementation of the resolution had gone beyond the established mandate. That mandate clearly did not authorize the Security Council Affairs Division to undertake such substantive tasks as monitoring missions or fact-finding missions. Accordingly, much of the proposed travel was unnecessary and would only squander financial resources. His delegation therefore wished to place on record its desire to disassociate itself from the consensus in connection with the paragraph of the draft resolution allocating resources for that unnecessary travel.

14. Monitoring of the implementation of the resolution was a new and unprecedented task for the Security Council Affairs Division and for the General Assembly. The latter must take decisions regarding support staff whose workload was as yet unknown. The Committee must ensure that implementation of the resolution was backed by the necessary financial and human resources, while also preventing a situation in which there was insufficient work for the support staff in question. The reason for his delegation's many questions of substance during the informal consultations on the matter was its preference for starting with a low level of staffing and making subsequent adjustments. His delegation would continue

to monitor the performance of the support staff, and urged other delegations to do likewise, in the interests of making the best use of the available resources. It also urged the Secretariat to adapt to the new circumstances brought by the fundamental shift in the approach of the Security Council, taking account of his country's peaceful nuclear programme.

15. **Ms. Aşık** (Turkey) said that she felt obliged to respond to the allegations made by the representative of the Syrian regime, whose claims were without foundation and were being made in an inappropriate forum, having nothing to do with the business of the Fifth Committee. Her delegation did not accept them, and looked forward to discussing them at another time and in another setting.

16. **Mr. Awad** (Syrian Arab Republic) said that he did not understand why the representative of Turkey had commented on his statement, which had merely reflected the position of the Syrian Arab Republic and had made no mention of any other country. It had referred only to statistics which, having been provided by United Nations agencies, could be verified in their reports. He was well aware that the Fifth Committee was not the appropriate forum for discussing matters unrelated to its business.

17. **Ms. Aşık** (Turkey) said everyone was aware of the content of the resolution, of the channels of assistance to the Syrian regime, and of the use of Turkish and Jordanian territory. Her delegation understood clearly the content of the statement made.

Agenda item 132: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*)

Progress towards an accountability system in the United Nations Secretariat (*continued*) (A/C.5/70/L.30)

Draft resolution A/C.5/70/L.30: Progress towards an accountability system in the United Nations Secretariat

18. *Draft resolution A/C.5/70/L.30 was adopted.*

Questions deferred for future consideration (A/C.5/70/L.32)

Draft decision A/C.5/70/L.32: Questions deferred for future consideration

19. *Draft decision A/C.5/70/L.32 was adopted.*

Completion of the work of the Fifth Committee at the first part of the resumed seventieth session of the General Assembly

20. **Ms. Wairatpanij** (Thailand), speaking on behalf of the Group of 77 and China, said that the Group welcomed the Committee's adherence to the programme of work, which had led to the successful conclusion of discussions on significant items including the Joint Inspection Unit, accountability and the financing of the International Residual Mechanism for Criminal Tribunals in connection with construction in Arusha. However, it wished to reiterate the concern it had expressed from the outset at difficulties with the documentation for the session, notably late submission and insufficiently informative content. Such recurring problems adversely affected the work of the Committee, which would have had more time to conduct substantive discussions had documents been received in time. The Group attached great importance to the report on revised estimates for the implementation of the 2030 Agenda and the Addis Ababa Action Agenda, and deeply regretted its late issuance, which had left the Advisory Committee with too little time to make its related recommendations. Given that early implementation of those policies was a priority, the Group expected that the matter would be taken up at the second part of the resumed seventieth session. The Group also regretted the failure to complete consideration of the operational arrangements and conditions of service of the Advisory Committee, a matter to which it and the Committee had devoted considerable effort.

21. **Mr. Kisoka** (United Republic of Tanzania), speaking on behalf of the Group of African States, welcomed the successful conclusion of discussions on a number of items, including those relating to special political missions, and specifically to Burundi, where the mandate provided by the Organization should be implemented in an effective and efficient manner. However, the Group was disappointed at the failure to conclude discussion of such items as the operational arrangements and conditions of service of the Advisory Committee, and the difficulty in obtaining the Secretary-General's proposals regarding implementation of the 2030 Agenda and the Addis Ababa Action Agenda It looked forward to rapid consideration of those key matters, and others of which consideration had been deferred.

22. **Mr. de Preter** (Observer for the European Union) said that, while the Committee had not exceeded its allotted meeting time, all parties involved must share responsibility for improving its working methods. That applied particularly to late issuance of documentation, a recurring problem which must be resolved by the Member States, the Bureau, the Advisory Committee and the Secretariat, acting together. The member States of the European Union particularly regretted that late issuance of the required documentation had led the Committee once again to be unable to conclude its discussion of a number of issues, particularly the proposed cost-sharing arrangement for the resident coordinator system. Consideration of that matter was long overdue. In addition, the deferral of discussion of the flexible workplace arrangements risked harming the well-being and productivity of staff and risked increasing the burden on the budget of the Office of Central Support Services through higher rental costs.

23. The Committee should recognize that its workload in the second part of the resumed session of the General Assembly was historically heavy, and should therefore focus on time-bound issues connected with the financing and administration of peacekeeping operations and the implementation of related mandates, including those resulting from the strategic review of all aspects of peacekeeping operations and General Assembly Resolution 70/6 on strengthening of the United Nations system. Should the programme of work be too heavy, it was neither feasible nor productive to conduct discussions without the support of the Fifth Committee secretariat or appropriate conference services during normal working hours.

24. **Ms. Norman Chalet** (United States of America) said that her delegation welcomed the conclusion of the Committee's discussions within the allotted time, with consensus being reached on key issues. Those issues included accountability, with Member States recognizing the importance of protecting whistle-blowers from retaliation, preventing fraud against the Organization, and taking continued action against sexual exploitation and abuse, including through the proper investigation of credible allegations of such abuse, and holding those responsible to account. Those issues also included the strategic capital review, for better management of major capital projects, and improving the operational effectiveness of special political missions, with the approval of additional resources, particularly for efforts in Burundi. In connection with funding and backstopping arrangements for special political missions, consideration of which had been deferred to the main part of the seventy-first session, her delegation looked forward to pursuing a mutually acceptable solution in the following months.

25. In some other respects, however, the first part of the resumed seventieth session had brought disappointment, particularly with the Committee's failure to approve the necessary resources for flexible workplace arrangements. That ignored the prospect of long-term gain, deferred an opportunity for more cost-effective use of space at Headquarters which had been shown to have an average daily occupancy rate of under 50 percent, and left the Organization dependent on expensive commercial leases for staff who could not be accommodated on the main campus. Worse still, it halted the effort in mid-stream, leaving staff stranded in temporary offices and risking the disappearance of expertise needed to complete the project. That failure showed that, despite better working practices in the Fifth Committee, sound decision-making could still be hampered by other interests. With the second part of the resumed seventieth session only a few weeks away, her delegation would encourage collaboration to ensure proper and full consideration of the important peacekeeping-related issues before the Committee, including through timely issuance of documentation.

26. **Mr. Sandoval Mendiolea** (Mexico) said that his delegation welcomed the efforts of all to support and guide the work of the Fifth Committee, and to improve the working environment and encourage greater trust. However, it was concerned that the Member States had been unable to reach consensus on a number of important issues on the Committee's programme of work at the first part of the resumed seventieth session. The deferral of consideration of a number of items brought the risk that positions would continue to be polarized, hindering rather than helping the pursuit of the rational financial and administrative management that everyone desired.

27. It was particularly disappointing that the Committee had not fulfilled its commitment to make a decision on reforms to the arrangements for funding and backstopping special political missions. The current administrative and budgetary arrangements for such missions were inadequate and adversely affected the regular budget, accountability, governance and transparency. His delegation looked forward to

addressing those deficiencies, and thus to providing an overdue response to the repeated appeals of the Secretariat, the Advisory Committee and the Board of Auditors. It recalled the recommendation of the High-Level Independent Panel on Peace Operations that reforms should be adopted immediately.

The meeting rose at 5.05 p.m.